P.R. No. 3349/06
Presented by Shri Kumar Jain
dated 4/7/06

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

SINGLE BENCH

W.P.No.3288 / 2006

Petitioner : **Umesh Nayak**, S/o Late Shri Bhoj Raj Nayak, Aged about 43 years, Sub-Engineer, Public Works Department, Bilaspur Sub-Division No.2, R/o Parijat Extension, HIG E/19, Bilaspur (C.G.)

Versus

Respondents : 1) State of Chhattisgarh – Through the Secretary, Public Works Department, DKS Bhawan, Raipur (C.G.)

2) The Chief Engineer, Public Works Department, Bilaspur (C.G.)

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CLERK to A.G. BILASPUR 4/7/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P. 3288/ **सन्** 200 6

(26)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	6-7-2006 Mr. P. Diwaker, Senior Advocate, with Mr. Adil Minhaj, Advocate, for the petitioner. Miss Deepali Pandey, Panel Lawyer for the State/respondents, on advance copy. Heard. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner who is working as Sub-Engineer, Public Works Department, Bilaspur, has questioned his transfer order dated 30-6-2006 (Annexure P-2) on the ground that in the impugned list, his name finds place at serial No.25 and he has been transferred showing that the transfer has been made on his request, therefore, he is not entitled for transfer allowance, whereas, the petitioner has never made request for transfer. Learned Senior Counsel for the petitioner submits that the transfer order does not show that the petitioner has been transferred in exigency of service on administrative ground and affidavit (Annexure P-3) of the petitioner has been filed that he has never requested for transfer. In view of the above, the petitioner is allowed to make a detailed representation raising his grievances to respondent No.1 within ten days from today and respondent No.1 shall decide the representation within 30 days from the date of receipt of the representation considering the objections of the petitioner, in accordance with law. If the petitioner is not relieved, he should not be relived, till the representation is decided. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2519/2006 and I.A.No.6469/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	
Soma		